

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**TINA SCOTT**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION 3:20-cv-590-DPJ-FKB**

**PAT SALMON & SONS, INC., *et. al.***

**DEFENDANT**

**COMPLAINT IN INTERVENTION**

NOW COMES, Intervenor, LUBA Casualty Insurance Company (“LUBA”), a foreign corporation domiciled in the State of Louisiana, and for its Complaint in Intervention in this cause would respectfully show unto the Court as follows:

1.

Intervenor adopts the allegations contained in Plaintiff’s Complaint and incorporates same as part of its Complaint in Intervention by reference thereof.

2.

Prior to the time of the incident described herein, LUBA had established a policy of workers’ compensation insurance on behalf of Mississippi Blood Services, Inc., the employer of Tina Scott, Plaintiff in the above entitled and numbered action, providing workers’ compensation indemnity and medical benefits. Said policy was in full force and effect at the time of the injuries and damages alleged in Plaintiff’s Complaint.

3.

On or about February 27, 2019, Plaintiff, while employed by Mississippi Blood Services, Inc. , was injured while working in the course and scope of his employment when an employee of defendant, acting within the course and scope of his employment, rear-ended Plaintiff’s vehicle on I-55.

4.

As a result of the subject accident, plaintiffs sustained injuries that will be proven at trial.

5.

As a result of Defendant's negligence as described in Plaintiff's Complaint, Plaintiff made a claim for workers' compensation benefits including indemnity and medical benefits.

6.

Intervenor is entitled to preference and priority over Plaintiff for any judgment rendered in favor of Plaintiff and against Defendants (excluding priority for Plaintiff's attorney fees and expenses).

7.

Intervenor is entitled to recover all compensation and medical expenses paid to or on behalf of Tina Scott, and LUBA is entitled to a credit for future compensation and medical benefits, which may be paid to Tina Scott, against any judgment or settlement rendered herein.

WHEREFORE, Intervenor, LUBA Casualty Insurance Company, joins in Plaintiff's demand for damages against Defendants to the extent of Intervenor's right to reimbursement and exoneration under the Worker's Compensation laws of Mississippi, and prays for judgment of this Court as provided by law. Intervenor also prays for all costs, judicial interest, and any and all equitable relief to which it is entitled.

This \_\_\_\_th day of November, 2020.

Respectfully submitted,

---

**JOSHUA M. LEWIS**, MSB No. 103770  
427 Chemin Metairie Road  
Youngsville, LA. 70592

Telephone: (337) 552-2057  
Facsimile: (225) 341-8162